

HOW TO BEGIN YOUR ACTION FOR DISSOLUTION, LEGAL SEPARATION, OR NULLITY

1. **COMPLETE THE FORMS** *(Type or print in black ink)*
 - Declaration for Court Assignment
 - Summons
 - Petition (with Declaration under the UCCJEA if minor children)
2. **MAKE COPIES**

You will need to make two additional copies of each form, front and back.
3. **FILE THE PAPERS**

Take the originals and copies to the Clerk's Office, in Ventura, Room 208, in Simi Valley, on the first floor. You will have to pay a filing fee. The Fee Schedule may be obtained from the Clerk. If you cannot afford the fee, you may be able to have that fee "waived". You will need to complete the FEE WAIVER PACKET. The clerk will keep the originals and return both copies to you, stamped to show that they have been "filed". One copy is for you and one copy is to be "served" on the other party, your spouse.
4. **"SERVE" THE PAPERS**

"Service" means that someone other than you, over the age of 18, must *personally* deliver a copy of the filed papers to the other party. The other party also gets a package of blank forms so that they can file their Response. Those blank forms are at the back of the Forms packet. If you wish you can arrange for the Sheriff to serve your spouse. If the other party is out of state or if you don't know their whereabouts, you may want to speak to the Family Law Facilitator about other ways to serve the papers.
5. **FILE THE PROOF OF SERVICE**

The person who "serves" the papers must complete and sign the "Proof of Service". That paper must then be filed with the court.

**THESE PAPERS ONLY BEGIN THE ACTION. ADDITIONAL FORMS
ARE NEEDED TO GET CUSTODY OR SUPPORT ORDERS AND TO
GET A FINAL JUDGMENT**

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name and Address</i>): TELEPHONE NO.: BAR NO.: ATTORNEY FOR (<i>Name</i>):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA <input type="checkbox"/> 800 S. VICTORIA AVE., VENTURA CA. 93009 <input type="checkbox"/> 3855-F ALAMO ST. SIMI VALLEY, CA. 93063-2110	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	
DECLARATION FOR COURT ASSIGNMENT <i>(Family Law and Unlawful Detainer and all other General Civil actions ONLY)</i>	CASE NUMBER:

Family Law, Domestic Violence, Paternity, Harassment, Unlawful Detainer, and all other General Civil actions presented for filing **MUST** be accompanied by this declaration.

The undersigned declares that the above entitled matter is filed for proceedings in the:

☐ **East County Division**, 3855-F Alamo St., Simi Valley, CA 93063 (Based upon Zip Code designation.)

<input type="checkbox"/> 91301	<input type="checkbox"/> 91302	<input type="checkbox"/> 91304	<input type="checkbox"/> 91307	<input type="checkbox"/> 91320 - <u>Excluding Family Law</u>
<input type="checkbox"/> 91360	<input type="checkbox"/> 91361	<input type="checkbox"/> 91362	<input type="checkbox"/> 91377	<input type="checkbox"/> 93020 <input type="checkbox"/> 93021
<input type="checkbox"/> 93062	<input type="checkbox"/> 93063	<input type="checkbox"/> 93064	<input type="checkbox"/> 93065	<input type="checkbox"/> 91363

☐ **Ventura Division**, 800 S. Victoria Ave., Ventura, CA 93009 (Venue does NOT fall within the Zip Codes above but is within Ventura County.)

For the checked reason:

<input type="checkbox"/> Contract	Performance in the division is expressly provided for
<input type="checkbox"/> Equity	The cause of action arose within the division
<input type="checkbox"/> Eminent Domain	The property is located within the division
<input type="checkbox"/> Family Law	Plaintiff, defendant, petitioner or respondent resides within the division
<input type="checkbox"/> Harassment	Plaintiff, defendant, petitioner or respondent resides with the division
<input type="checkbox"/> Mandate	The defendant functions wholly within the division
<input type="checkbox"/> Name Change	The petitioner resides within the division
<input type="checkbox"/> Paternity	Plaintiff, defendant, petitioner or respondent resides within the division.
<input type="checkbox"/> Personal Injury	The injury occurred within the division or the defendant resides within the division
<input type="checkbox"/> Personal Property	The property is located within the division or the defendant resides within the division
<input type="checkbox"/> Prohibition	The defendant functions wholly within the division
<input type="checkbox"/> Review	The defendant functions wholly within the division
<input type="checkbox"/> Title to Real Property	The property is located within the division
<input type="checkbox"/> Unlawful Detainer	The property is located within the division
<input type="checkbox"/> Domestic Violence	Plaintiff, defendant, petitioner or respondent resides within the division
<input type="checkbox"/> Civil not otherwise specified	_____

(Venue Rule Applicable)

The address of the accident, performance, party, detention, place of business, or other factor which qualifies this case for filing in the division:

Name: _____ Address: _____

Upon information and belief, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____ Signature of Attorney/Party _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name and Address</i>): NO.: ATTORNEY FOR (<i>Name</i>):	TELEPHONE NO.: FOR COURT USE ONLY
COURT NAME: SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT:	
CONSENT FOR COURT ASSIGNMENT <i>(Family Law)</i>	CASE NUMBER:

The undersigned hereby consents that the cause titled and numbered above may be tried by **Bruce A. Young** Court Commissioner of the Ventura County Superior Court, as temporary judge, in accordance with Article 6, Section 21 of the Constitution of the State of California.

It is understood by the undersigned that by order of the Presiding Judge of the Ventura County Superior Court, Commissioner Bruce A. Young has been appointed to act as temporary judge to try the above referenced case, hear and decide all motions, and make any orders including sentencing connected with this case. It is understood that Commissioner Bruce A. Young, has been appointed to try the case referred to, and has taken the necessary oath of office to try the case as temporary judge.

Dated: _____

Signature of litigant or attorney

SUMMONS (Family Law)**CITACIÓN (Derecho familiar)**

NOTICE TO RESPONDENT (Name):

AVISO AL DEMANDADO (Nombre):

FOR COURT USE ONLY
(SÓLO PARA USO DE LA CORTE)You are being sued. *Lo están demandando.*

Petitioner's name is:

Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):

You have **30 calendar days** after this *Summons* and *Petition* are served on you to file a *Response* (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you.

If you do not file your *Response* on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. If you cannot pay the filing fee, ask the clerk for a fee waiver form.

If you want legal advice, contact a lawyer immediately. You can get information about finding lawyers at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), at the California Legal Services Web site (www.lawhelpcalifornia.org), or by contacting your local county bar association.

Tiene 30 días corridos después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120 ó FL-123) ante la corte y efectuar la entrega legal de una copia al demandante. Una carta o llamada telefónica no basta para protegerlo.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales. Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas.

Si desea obtener asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar a un abogado en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en el sitio Web de los Servicios Legales de California (www.lawhelpcalifornia.org) o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE: The restraining orders on page 2 are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. These orders are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

AVISO: Las órdenes de restricción que figuran en la página 2 valen para ambos cónyuges o pareja de hecho hasta que se despida la petición, se emita un fallo o la corte dé otras órdenes. Cualquier autoridad de la ley que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

1. The name and address of the court are (El nombre y dirección de la corte son):

2. The name, address, and telephone number of the petitioner's attorney, or the petitioner without an attorney, are:
(El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son):

Date (Fecha):

Clerk, by (Secretario, por) _____, Deputy (Asistente)

[SEAL]

NOTICE TO THE PERSON SERVED: You are served**AVISO A LA PERSONA QUE RECIBIÓ LA ENTREGA:** Esta entrega se realiza

- a. ☐ as an individual. (a usted como individuo.)
- b. ☐ on behalf of respondent who is a (en nombre de un demandado que es):
- (1) ☐ minor (menor de edad)
- (2) ☐ ward or conservatee (dependiente de la corte o pupilo)
- (3) ☐ other (specify) (otro – especifique):

(Read the reverse for important information.)
(Lea importante información al dorso.)

WARNING—IMPORTANT INFORMATION

WARNING: California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

STANDARD FAMILY LAW RESTRAINING ORDERS

Starting immediately, you and your spouse or domestic partner are restrained from

1. removing the minor child or children of the parties, if any, from the state without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor child or children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

ADVERTENCIA – INFORMACIÓN IMPORTANTE

ADVERTENCIA: De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para los fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.

ÓRDENES DE RESTRICCIÓN NORMALES DE DERECHO FAMILIAR

En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:

1. Llevarse del estado de California a los hijos menores de las partes, si los hubiera, sin el consentimiento previo por escrito de la otra parte o una orden de la corte;
2. Cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, tal como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);
3. Transferir, gravar, hipotecar, ocultar o deshacerse de cualquier manera de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, con excepción las operaciones realizadas en el curso normal de actividades o para satisfacer las necesidades de la vida; y
4. Crear o modificar una transferencia no testamentaria de manera que afecte el destino de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.

Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto, por lo menos cinco días laborales antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado o para ayudarlo a pagar los costos de la corte.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MARRIAGE OF PETITIONER: RESPONDENT:	
PETITION FOR <input type="checkbox"/> Dissolution of Marriage <input type="checkbox"/> Legal Separation <input type="checkbox"/> Nullity of Marriage <div style="float: right; margin-top: -20px;"> <input type="checkbox"/> AMENDED </div>	
CASE NUMBER:	

1. RESIDENCE (Dissolution only) ☐ Petitioner ☐ Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of this *Petition for Dissolution of Marriage*.

2. STATISTICAL FACTS

- a. Date of marriage: _____ c. Time from date of marriage to date of separation (specify):
 b. Date of separation: _____ Years: _____ Months: _____

3. DECLARATION REGARDING MINOR CHILDREN (include children of this relationship born prior to or during the marriage or adopted during the marriage):

- a. ☐ There are no minor children.
 b. ☐ The minor children are:

<u>Child's name</u>	<u>Birthdate</u>	<u>Age</u>	<u>Sex</u>
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☐ Continued on Attachment 3b.

- c. If there are minor children of the Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.
 d. ☐ A completed voluntary declaration of paternity regarding minor children born to the Petitioner and Respondent prior to the marriage is attached.

4. SEPARATE PROPERTY

Petitioner requests that the assets and debts listed ☐ in *Property Declaration* (form FL-160) ☐ in Attachment 4
☐ below be confirmed as separate property.
Item Confirm to

NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child or spousal support.

MARRIAGE OF (last name, first name of parties): _____	CASE NUMBER: _____
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5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.
- b. ☐ All such assets and debts are listed ☐ in *Property Declaration* (form FL-160) ☐ in Attachment 5b.
☐ below (specify): _____

6. Petitioner requests

- | | |
|--|--|
| <p>a. <input type="checkbox"/> dissolution of the marriage based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. (Fam. Code, § 2310(a).)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> incurable insanity. (Fam. Code, § 2310(b).)</p> <p>b. <input type="checkbox"/> legal separation of the parties based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. (Fam. Code, § 2310(a).)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> incurable insanity. (Fam. Code, § 2310(b).)</p> <p>c. <input type="checkbox"/> nullity of void marriage based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> incestuous marriage. (Fam. Code, § 2200.)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> bigamous marriage. (Fam. Code, § 2201.)</p> | <p>d. <input type="checkbox"/> nullity of voidable marriage based on</p> <p style="margin-left: 20px;">(1) <input type="checkbox"/> petitioner's age at time of marriage. (Fam. Code, § 2210(a).)</p> <p style="margin-left: 20px;">(2) <input type="checkbox"/> prior existing marriage. (Fam. Code, § 2210(b).)</p> <p style="margin-left: 20px;">(3) <input type="checkbox"/> unsound mind. (Fam. Code, § 2210(c).)</p> <p style="margin-left: 20px;">(4) <input type="checkbox"/> fraud. (Fam. Code, § 2210(d).)</p> <p style="margin-left: 20px;">(5) <input type="checkbox"/> force. (Fam. Code, § 2210(e).)</p> <p style="margin-left: 20px;">(6) <input type="checkbox"/> physical incapacity. (Fam. Code, § 2210(f).)</p> |
|--|--|

7. Petitioner requests that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 7c. | | | | |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage. | <input type="checkbox"/> | <input type="checkbox"/> | | |
| e. Attorney fees and costs payable by | <input type="checkbox"/> | <input type="checkbox"/> | | |
| f. Spousal support payable to (earnings assignment will be issued) | <input type="checkbox"/> | <input type="checkbox"/> | | |
| g. <input type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Respondent. | | | | |
| h. <input type="checkbox"/> Property rights be determined. | | | | |
| i. <input type="checkbox"/> Petitioner's former name be restored to (specify): _____ | | | | |
| j. <input type="checkbox"/> Other (specify): _____ | | | | |

☐ Continued on Attachment 7j.

8. Child support—If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

9. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PETITIONER)

(SIGNATURE OF ATTORNEY FOR PETITIONER)

NOTICE: Dissolution or legal separation may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement plan, power of attorney, pay on death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your spouse or a court order (see Family Code sections 231–235).

- | | | | | | |
|---|--|----------------|---|---------------|--------------|
| a. Child's name | | Place of birth | | Date of birth | Sex |
| Period of residence
to present | Address
<input type="checkbox"/> Confidential | | Person child lived with (<i>name and present address</i>) | | Relationship |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| b. Child's name | | Place of birth | | Date of birth | Sex |
| <input type="checkbox"/> Residence information is the same as given above for child a.
(If NOT the same, provide the information below.) | | | | | |
| Period of residence
to present | Address
<input type="checkbox"/> Confidential | | Person child lived with (<i>name and present address</i>) | | Relationship |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

- Form Approved for Optional Use
Judicial Council of California
FL-105/GC-120 [Rev. January 1, 2003]

**DECLARATION UNDER UNIFORM CHILD CUSTODY
JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

Family Code, § 3400 et seq.
Probate Code, §§ 1510(f), 1512
www.courtinfo.ca.gov

Page 1 of 2

SHORT TITLE: _____	CASE NUMBER:
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4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding, in California or elsewhere, concerning custody of a child subject to this proceeding?

☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Capacity of declarant: ☐ party ☐ witness ☐ other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child subject to this proceeding, other than that stated in item 4?

☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Nature of proceeding: ☐ dissolution or divorce ☐ guardianship ☐ adoption ☐ other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child subject to this proceeding?

☐ No ☐ Yes (If yes, provide the following information:)

a. Name and address of person <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights </div>	b. Name and address of person <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights </div>	c. Name and address of person <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights </div>
Name of each child 	Name of each child 	Name of each child

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

	▶	
(TYPE OR PRINT NAME)		(SIGNATURE OF DECLARANT)

7. ☐ Number of pages attached after this page:

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

- Page 1 of 2

PETITIONER:	CASE NUMBER:
RESPONDENT:	

3. b. (cont.) on (date): at (time):

I thereafter mailed additional copies (by first class, postage prepaid) to the respondent at the place where the copies were left (Code Civ. Proc., § 415.20b) on (date):

A **declaration of diligence** is attached, stating the actions taken to first attempt personal service.

c. ☐ **Mail and acknowledgment service.** I mailed the copies to the respondent, addressed as shown in item 2, by first-class mail, postage prepaid, on (date): from (city):

(1) ☐ with two copies of the *Notice and Acknowledgment of Receipt (Family Law)* (form FL-117) and a postage-paid return envelope addressed to me. **(Attach completed Notice and Acknowledgment of Receipt (Family Law) (form FL-117).)** (Code Civ. Proc., § 415.30.)

(2) ☐ to an address outside California (by registered or certified mail with return receipt requested). **(Attach signed return receipt or other evidence of actual delivery to the respondent.)** (Code Civ. Proc., § 415.40.)

d. ☐ **Other** (specify code section):

☐ Continued on Attachment 3d.

4. The "NOTICE TO THE PERSON SERVED" on the *Summons* was completed as follows (Code Civ. Proc., §§ 412.30, 415.10, 474):

a. ☐ As an individual **or**

b. ☐ On behalf of respondent who is a

(1) ☐ minor. (Code Civ. Proc., § 416.60.)

(2) ☐ ward or conservatee. (Code Civ. Proc., § 416.70.)

(3) ☐ other (specify):

5. Person who served papers

Name:

Address:

Telephone number:

This person is

a. ☐ exempt from registration under Business and Professions Code section 22350(b).

b. ☐ not a registered California process server.

c. ☐ a registered California process server: ☐ an employee or ☐ an independent contractor

(1) Registration no.:

(2) County:

d. **The fee** for service was (specify): \$

6. ☐ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

—or—

7. ☐ **I am a California sheriff, marshal, or constable**, and I certify that the foregoing is true and correct.

Date:

(NAME OF PERSON WHO SERVED PAPERS)

(SIGNATURE OF PERSON WHO SERVED PAPERS)

NOTICE

**ALL OF THE FOLLOWING FORMS ARE LEFT
BLANK AND MUST BE SERVED
ON THE RESPONDENT
ALONG WITH A COPY OF THE DOCUMENTS
YOU HAVE FILED**

HOW TO RESPOND TO AN ACTION FOR DISSOLUTION, LEGAL SEPARATION, OR NULLITY

1. **COMPLETE THE FORMS** *(Type or print in black ink)*

- Response (with Declaration under the UCCJEA if minor children)
- Proof of Service

2. **MAKE A COPY AND HAVE IT SERVED**

The copy is to be “served” on the other party, the Petitioner. Service means the *copy* must be mailed to the Petitioner by someone over the age of 18 other than you. You cannot “serve” it yourself.

3. **HAVE THE PROOF OF SERVICE SIGNED**

The person who mailed the copy to Petitioner must sign the Proof of Service. Once the Proof of Service has been signed, make one additional copy of all the forms.

4. **FILE THE PAPERS**

Take the original and one copy to the Clerk’s Office, in Ventura, Room 208, in Simi Valley, on the first floor. You will have to pay a filing fee. The Fee Schedule can be obtained from the Clerk. If you cannot afford the fee, you may be able to have that fee “waived”. You will need to complete the FEE WAIVER PACKET. The clerk will keep the original and return the copy to you, stamped to show that it has been “filed”. That copy is for your records.

THESE PAPERS ONLY BEGIN THE ACTION. THE RESPONSE SHOWS THE COURT THAT YOU ARE A PARTICIPANT IN THE ACTION. ADDITIONAL FORMS ARE NEEDED TO GET CUSTODY OR SUPPORT ORDERS AND TO GET A FINAL JUDGMENT

- NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child or spousal support.**

MARRIAGE OF <i>(last name, first name of parties)</i> : _____	CASE NUMBER: _____
--	---------------------------

5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a. ☐ There are no such assets or debts subject to disposition by the court in this proceeding.
- b. ☐ All such assets and debts are listed ☐ in *Property Declaration* (form FL-160) ☐ in Attachment 5b.
☐ below *(specify)*:

6. ☐ **Respondent contends** that the parties were never legally married.

7. ☐ **Respondent denies** the grounds set forth in item 6 of the petition.

8. Respondent requests

- | | |
|--|--|
| <p>a. <input type="checkbox"/> dissolution of the marriage based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. (Fam. Code, § 2310(a).)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> incurable insanity. (Fam. Code, § 2310(b).)</p> <p>b. <input type="checkbox"/> legal separation of the parties based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> irreconcilable differences. (Fam. Code, § 2310(a).)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> incurable insanity. (Fam. Code, § 2310(b).)</p> <p>c. <input type="checkbox"/> nullity of void marriage based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> incestuous marriage. (Fam. Code, § 2200.)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> bigamous marriage. (Fam. Code, § 2201.)</p> | <p>d. <input type="checkbox"/> nullity of voidable marriage based on</p> <p style="padding-left: 20px;">(1) <input type="checkbox"/> respondent's age at time of marriage. (Fam. Code, § 2210(a).)</p> <p style="padding-left: 20px;">(2) <input type="checkbox"/> prior existing marriage. (Fam. Code, § 2210(b).)</p> <p style="padding-left: 20px;">(3) <input type="checkbox"/> unsound mind. (Fam. Code, § 2210(c).)</p> <p style="padding-left: 20px;">(4) <input type="checkbox"/> fraud. (Fam. Code, § 2210(d).)</p> <p style="padding-left: 20px;">(5) <input type="checkbox"/> force. (Fam. Code, § 2210(e).)</p> <p style="padding-left: 20px;">(6) <input type="checkbox"/> physical incapacity. (Fam. Code, § 2210(f).)</p> |
|--|--|

9. **Respondent requests** that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- | | Petitioner | Respondent | Joint | Other |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| a. Legal custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 9c. | | | | |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage. | <input type="checkbox"/> | <input type="checkbox"/> | | |
| e. Attorney fees and costs payable by | <input type="checkbox"/> | <input type="checkbox"/> | | |
| f. Spousal support payable to (wage assignment will be issued) | <input type="checkbox"/> | <input type="checkbox"/> | | |
| g. <input type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Petitioner. | | | | |
| h. <input type="checkbox"/> Property rights be determined. | | | | |
| i. <input type="checkbox"/> Respondent's former name be restored to <i>(specify)</i> : | | | | |
| j. <input type="checkbox"/> Other <i>(specify)</i> : | | | | |

☐ Continued on Attachment 9j.

10. Child support— If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF RESPONDENT)



(SIGNATURE OF ATTORNEY FOR RESPONDENT)

The original response must be filed in the court with proof of service of a copy on Petitioner.

- | | | | | | |
|---|--|---|--|---------------|-----|
| a. Child's name | | Place of birth | | Date of birth | Sex |
| Period of residence
to present | Address
<input type="checkbox"/> Confidential | Person child lived with (<i>name and present address</i>) | | Relationship | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| b. Child's name | | Place of birth | | Date of birth | Sex |
| <input type="checkbox"/> Residence information is the same as given above for child a.
(If NOT the same, provide the information below.) | | | | | |
| Period of residence
to present | Address
<input type="checkbox"/> Confidential | Person child lived with (<i>name and present address</i>) | | Relationship | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

- Form Approved for Optional Use
Judicial Council of California
FL-105/GC-120 [Rev. January 1, 2003]

DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)

SHORT TITLE: _____	CASE NUMBER:
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4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding, in California or elsewhere, concerning custody of a child subject to this proceeding?

☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Capacity of declarant: ☐ party ☐ witness ☐ other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child subject to this proceeding, other than that stated in item 4?

☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Nature of proceeding: ☐ dissolution or divorce ☐ guardianship ☐ adoption ☐ other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child subject to this proceeding?

☐ No ☐ Yes (If yes, provide the following information:)

a. Name and address of person <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights </div>	b. Name and address of person <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights </div>	c. Name and address of person <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights </div>
Name of each child 	Name of each child 	Name of each child

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

	▶	
(TYPE OR PRINT NAME)		(SIGNATURE OF DECLARANT)

7. ☐ Number of pages attached after this page:

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name and Address</i>):	TELEPHONE NO.:	<i>FOR COURT USE ONLY</i>
ATTORNEY FOR (<i>Name</i>):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
SHORT TITLE OF CASE:		
PROOF OF SERVICE		CASE NUMBER:

1. At the time of service, I was at least 18 years of age and not a party to this action.

2. I served the following documents:

- | | |
|---|--|
| <input type="checkbox"/> Summons | <input type="checkbox"/> Responsive Declaration re Order to |
| <input type="checkbox"/> Petition | Show Cause/Notice of Motion |
| <input type="checkbox"/> Response | <input type="checkbox"/> Income & Expense Declaration |
| <input type="checkbox"/> Complaint | <input type="checkbox"/> Order After Hearing |
| <input type="checkbox"/> Answer | <input type="checkbox"/> Blank Response |
| <input type="checkbox"/> UCCJEA Declaration | <input type="checkbox"/> Blank Answer |
| <input type="checkbox"/> Order to Show Cause | <input type="checkbox"/> Blank Responsive Declaration |
| <input type="checkbox"/> Notice of Motion | <input type="checkbox"/> Blank Income and Expense Declaration |
| <input type="checkbox"/> Temporary Restraining Order | <input type="checkbox"/> OTHER _____ |
| <input type="checkbox"/> Mediation/Orientation Appointment | _____ |
| Fact Sheet | _____ |

3. Party served:

4. Address:

5. Method of service:

- ☐ **Personal service:** By personal delivery to the person identified in paragraph 3.
 Date of Service:
 Time of Service:
- ☐ **By Mail:** By mailing copies to the person identified in paragraph 3, with postage fully prepaid, by first class mail as follows:
 Date of Mailing:
 Place of Deposit:
- ☐ With two copies of the Notice and Acknowledgment of Receipt and stamped return envelope addressed to me. (Attach signed Notice & Acknowledgment of Receipt)
- ☐ To an address outside of California with return receipt requested (Attach Returned Receipt)

PROOF OF SERVICE

6. Person Serving (name, address and telephone number):

7. Person serving, additional information

- ☐ Fee for service
 - ☐ Not a registered California process server.
 - ☐ Exempt from registration under B&P section 22350(b)
 - ☐ Registered California process server:
 - ☐ Employee or independent contractor
- Registration Number:
County of Registration:

I declare under the penalty of perjury and pursuant to the laws of the State of California that the foregoing is true and correct. Executed on _____ at _____.

Signature of Declarant

I am a California sheriff, marshal, or constable, and I certify that the foregoing is true and correct. Executed on _____ at _____.

Signature

PROOF OF SERVICE